IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 11148 of 2004

Between:

1 Chepana Lakshmi W/o Jagannatha Rao
Yelagavalasa (V) Therlam Mandal, Vizianagarm District
2 Smt. Chepana Gangamma W/o Rama Rao
Velavalasa (V) Therlam Mandal, Vizianagaram District

..... PETITIONER(S)

AND

1 District Collector, Vizianagaram District Vizianagaram
2 Joint Collector, Vizianagaram
3 Mandal Revenue Officer, Terlam Mandal , Terlam Vizianagaram District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an order, or direction or writ, more particularly one in the nature of writ of Mandamus, declaring the action of the respondents in not incorporating the names of the petitioners is bad, and illegal, consequently direct the respondents to implement theorders of the 2nd respondent, vide his Proc.S.R.No.11(a)/623/2001 and 624/2001 dt. 21/11/2001 in the interest of Justice.

For the Petitioner:MR.KURITIBHASKARA RAO - Advocate

For the Respondents 1 TO 3: GP FOR REVENUE

The Court at the stage of admission made the Following :

ORDER:

The present writ petition is filed questioning the action of the respondents in not implementing the orders of the second respondent vide proceedings dated 21-11-2001 directing the third respondent to incorporate the names of the petitioners as pattadars against survey No. 112/1 dry Ac.6-38 cents , Ramabhadrapuram village and in survey No. 116/P of Rangapuvalasa village.

The petitioners claim that the subject lands are ryotwari lands with existing mango topes and other trees and erroneously recorded as “Poramboke” lands. That the petitioner has produced the relevant documents before the Joint Collector/Settlement Officer and that the Revenue officials had inspected the subject lands on 28-8-2001 and found that the mango topes are about 60 years old. It is also stated that the Assistant Director of Survey and Land Records has inspected the subject lands on 29-9-2001 and reported that the said lands are not covered in Reserve Forest. It is further case of the petitioner that the second respondent on perusal of the entire material on record passed an order dated 21-11-2001 directing the third respondent to incorporate the names of the petitioners as pattadars in respect of the subject lands. That the petitioners had made representations on 5-1-2002, 10-3-2003, 4-3-2004 and 10-4-2004 to the third respondent requesting to incorporate their names as pattadars, since, no action was taken thereon, the present writ petition is filed.

Heard learned counsel for petitioner and learned Government Pleader for Revenue. Both the counsel agreed for disposal of the writ petition with the following direction.

In the circumstances, the writ petition is disposed of, with a direction to the third respondent to consider the representations of the petitioners stated to have been filed on 5-1-2002, 10-3-2003, 4-3-2004 and 10-4-2004 and after conducting necessary enquiry pass appropriate orders in accordance with law, as expeditiously as possible. No costs.

_____ N.V.RAMANA,J

DATED: 2-7-2004

TVK

To

1 The District Collector, Vizianagaram District Vizianagaram
2 The Joint Collector, Vizianagaram
3 The Mandal Revenue Officer, Terlam Mandal , Terlam Vizianagaram District

4.. 2CCs to G.P. for Revenue, High Court of A.P., Hyderabad.(OUT)

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